

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: CYNTHIA ANN SCHMIDT
WOODROW PAUL SCHMIDT, JR

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

vs.

CYNTHIA ANN SCHMIDT
WOODROW PAUL SCHMIDT, JR

CASE NO: 1-17-01806-HWV

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on March 19, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1. A Plan was filed on May 25, 2017.
2. A Confirmation hearing was held and an Order was entered on January 17, 2018 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

s/ James K. Jones, Esq.
Id: 39031
Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee
Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
Ph. 717-566-6097
Fax. 717-566-8313
eMail: jjones@pamd13trustee.com

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NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg Bankruptcy Courtroom, 3rd Floor 228 Walnut Street Harrisburg, PA 17101	Date: April 18, 2018 Time: 09:35 AM
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Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: March 19, 2018

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IN CYNTHIA ANN SCHMIDT CHAPTER 13
RE: WOODROW PAUL
 SCHMIDT, JR

CASE NO: 1-17-01806-HWV

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CERTIFICATE OF SERVICE

AND NOW, on March 19, 2018, I, Vickie Williams, hereby certify that I served a copy of the Trustee's Motion to Dismiss, Notice, and Proposed Order either electronically or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, first class mail, postage prepaid, addressed to the following:

DAWN MARIE CUTAIA, ESQUIRE
115 EAST PHILADELPHIA STREET
YORK, PA 17401-

CYNTHIA ANN SCHMIDT
WOODROW PAUL SCHMIDT, JR
691 SILVER MAPLE CIRCLE
SEVEN VALLEYS, PA 17360

Respectfully Submitted,
s/ Vickie Williams
for Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: March 19, 2018

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.